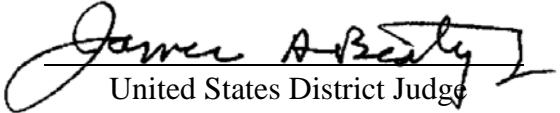




entered contemporaneously with this Order. In view of this ruling, Petitioner's motion to dismiss Claim 2 [Pleading No. 5] is moot.

  
United States District Judge

Date: June 9, 2006